

# Notice of Allowability

Application No.

09/681,408

Examiner

Alain L. Bashore

Applicant(s)

CASCIANO ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11-2-05.
2. ☒ The allowed claim(s) is/are 7,9-17,19-27,37 and 39-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**ALAIN L. BASHORE**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, filed 11-2-05, with respect to patentability and 35 U.S.C. 112 issue have been re-considered and are now considered persuasive. Arguments were re-explained in the interview of 5-31-06. The finality of the previous office action has been withdrawn.

### **EXAMINER'S AMENDMENT**

2. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 6-20-06, Mr. Fitzgerald requested an extension of time for two MONTH(S) and authorized the Director to charge Deposit Account No. 01-2384 the required fee for this extension and authorized the following examiner's amendment.

Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the claims: cancel claims 1-6, 54-58.

***Allowable Subject Matter***

4. Claims 7, 9-17, 19-27, 37, 39-44 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 7, 17, and 37. Claim 7 recites a database for evaluating economics of a financing based on workload requirements, the financing includes at least one loan included within a portfolio of loans requested by a borrower from a lender, claim 17 recites a system for evaluating economics of a financing based on workload requested by a borrower from a lender, claim 37 recites a computer program embodied on a computer-readable medium for evaluating economics of a financing based on workload requirements.

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Field is considered the closest prior art. Filed discloses a method for facilitating use of a pricing model for evaluating a deal. Claims are entered, where each claim is an element of the deal that is to be reviewed as part of collection statistics (deal evaluation). Trigger levels are entered for the claims where each level assigned indicates an anticipated level of effort to review the claims. Expected collections are determined.

Field does not disclose the combination in each independent claim, further including:

In claim 7:

data corresponding to workload drivers for a financing, each workload driver is an element of the financing relating to the borrower including at least one of collateral performance, excess availability, books and records, risk classification, number of agings, frequency of borrowing, frequency of reporting, co-borrower structure, fixed charge coverage, first time asset based lending borrower and export-import bank guarantee, each workload driver is reviewed by the lender as part of an underwriting process of the financing;

data corresponding to a trigger level for each workload driver, the trigger level

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assigned to a workload driver indicates the anticipated level of effort required by the lender to complete the underwriting process associated with the corresponding workload driver; and

data corresponding to a weight entered by the lender for each trigger level;

data corresponding to allocation of portfolio and underwriting expenses, the allocation is based upon the workload drivers and the corresponding trigger levels.

In claim 17:

A database comprising data corresponding to workload drivers and related trigger levels for the financing, each workload driver is an element of the financing relating to the borrower including at least one of collateral performance, excess availability, books and records, risk classification, number of agings, frequency of borrowing, frequency of reporting, co-borrower structure, fixed charge coverage, first time asset based lending borrower and export-import bank guarantee, each workload driver is reviewed by the lender as part of an underwriting process of the financing, the trigger level assigned to a workload driver indicates the anticipated level of effort required by the lender to complete the underwriting process associated with the corresponding workload driver; and

a server in communication with the database, the server configured to:

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prompt the lender to designate at least one workload driver for the financing.

prompt the lender to select trigger levels for each designated workload driver

when entering data for the financing; and

allocate portfolio and underwriting expenses based upon the designated workload drivers and the corresponding trigger levels

In claim 37:

prompt the lender to designate at least one workload driver for the loan portfolio, each workload driver is an element of the financing relating to the borrower including at least one of collateral performance, excess availability, books and records, risk classification, number of agings, frequency of borrowing, frequency of reporting, co-borrower structure, fixed charge coverage, first time asset based lending borrower and export-import bank guarantee, each workload driver is reviewed by the lender as part of an underwriting process of the financing;

prompt the lender to select trigger levels for each designated workload driver, each trigger level assigned to a workload driver indicates the anticipated level of effort required by the lender to complete the underwriting process associated with the corresponding workload driver.

For these reasons claims 7, 17, and 37 are deemed to be allowable over the prior art of record, and claims 9-16, 19-27, 39-44 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alain L. Bashore  
Primary Examiner  
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